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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/590,329      | 06/08/2000  | Neil R. Fraser       | CCF-001PAT          | 9955             |

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| EXAMINER |
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SONG, HOSUK

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| ART UNIT | PAPER NUMBER |
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2135

DATE MAILED: 03/15/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/590,329

Applicant(s)

FRASER, NEIL R.

Examiner

Hosuk Song

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-20 is/are allowed.
- 6) ☐ Claim(s) 1-6,8 and 9 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.6.8.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Howard et al.(US 6,442,690).

Claim 1: Howard's patent discloses remote device control method where in response to the request(fig.14), generating a challenge that includes what operation to be performed on the host computer was requested in (fig.14) note that device signs the message in response to IKMS request. Further,certificate contains a message that includes types of operations such as device initialization,network operations, rekeying(col.23,lines 56-58;col.21,lines 64-67). Encrypting the challenge is disclosed by Howard in (fig.14). Howard discloses transmitting the encrypted challenge to a secure environment that contains the client user's private key in (col.26,lines 34-35). Howard discloses decrypting the challenge in the secure environment and securely displaying the decrypted challenge in (col.26,lines 39-40). Howard discloses confirmation where user transmits a reply encrypted with the host computer's public key to the host computer that contains a positive response and the nonce in (fig.14,K3). Note transmission of acknowledgement and message signing.

Claim 2: Howard discloses request is for access to a resource on the host computer in (col.27,lines 25-40).

Claim 3: Howard discloses challenge encrypted during step(2) is encrypted with the user's public key in (col.28,lines 46-62).

Claims 8-9: Howard discloses confirmation in (fig.14).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard et al.(US 6,442,690) in view of Caputo(US 5,546,463).

Claims 4-6: Howard does not specifically disclose intelligent token containing user's private key that is capable of decrypting the encrypted challenge. Caputo discloses intelligent token containing user's private key that is capable of decrypting the encrypted challenge in (fig.5A,6). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ intelligent token as taught in Caputo with system disclosed in Howard in order to protect keys from hijackers. Since key is stored in a portable storage and not in the fixed terminal, user can transport keys from device to device where key attacks and tampering can be minimized.

***Allowable Subject Matter***

3. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 7; Prior art of record does not teach client computer software capable of passing the encrypted challenge during step(3) without modification to the reader and passing the encrypted reply to the host computer during step(6) without modification.

Claims 10-20 are allowed.

Claims 10,16: prior art of record does not teach reader computer software residing on the reader that in association with the smart card, of decrypting an encrypted challenge, transmitting the decrypted challenge to a secure display unit, receiving a reply from a secure input device, encrypting the reply received from the input device and transmitting the encrypted reply to the client computer.

Claims 11-15,17-20 are allowed because of dependency.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Furuya et al(US 6,539,478) discloses controlling remote device operation.
- b. Weber(US 5,812,668) discloses verifying operation of a remote transaction.

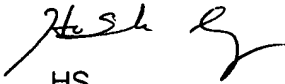
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 703-305-0042. The examiner can normally be reached on Tue-Fri from 6:00 am – 4:00 pm.

Application/Control Number: 09/590,329  
Art Unit: 2135

Page 5

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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